

RESOLUTION

ADOPTION OF THE ADA TRANSITION PLAN

FOR WHITFIELD COUNTY, GEORGIA

WHEREAS, the governing authority of Whitfield County, in compliance with Title II of the Americans with Disabilities Act (ADA) is required to address the subject of ensuring that Whitfield County services and facilities are accessible to those with disabilities; and,

WHEREAS, the governing authority of Whitfield County now desires to adopt the "ADA Transition Plan" attached hereto as Exhibit "A" and including any attachments thereto, said exhibit being by reference fully included in this resolution as if specifically set out herein;

NOW THEREFORE, BE IT RESOLVED that the said ADA Transition Plan is hereby adopted by the Whitfield County Board of Commissioners.

RESOLVED, ADOPTED, AND EFFECTIVE, this 11th day of March, 2013.



Mike Babb, Chairman
Board of Commissioners
Whitfield County, Georgia

(SEAL)



ATTEST:



Luis V. Villavizar, County Clerk
Whitfield County, Georgia

Exhibit "A"



Whitfield County, Georgia Americans with Disabilities Act Transition Plan 2013

Introduction.

The Americans with Disabilities Act (ADA) of 1990 is a civil rights statute that prohibits discrimination against people who have disabilities. Title II of the ADA specifically addresses the subject of making Whitfield County services and County facilities accessible to those with disabilities. With the advent of the Act, designing and constructing facilities for public use that are not accessible by people with disabilities constitutes discrimination.

The Act applies to all facilities, including both facilities built before and after 1990. As a necessary step to a program access plan to provide accessibility under the ADA, state and local governments, public entities or agencies are required to perform self-evaluations of their current facilities, relative to the accessibility requirements of the ADA. The agencies are then required to develop a Program Access Plan, which can be called a Transition Plan, to address any deficiencies. The Plan is intended to achieve the following:

- (1) Identify physical obstacles that limit the accessibility of facilities to individuals with disabilities;
- (2) Describe the methods to be used to make the facilities accessible;
- (3) Provide a schedule for making the access modifications; and,
- (4) Identify the public officials responsible for implementation of the Transition Plan.

The Plan is required to be updated periodically until all accessibility barriers are removed.

Purpose.

The purpose of this plan is to ensure that the citizens of Whitfield County are provided full access to County programs and facilities in as timely manner as is reasonably possible. Whitfield County elected officials and staff believe the ability to accommodate disabled persons is essential to good customer service, the quality of life Whitfield County residents seek to enjoy, and for effective government.

This Plan has been prepared after a careful study of Whitfield County's programs and facilities. The County, in preparing this document, has received input from the Whitfield County Board of Commissioners and County Personnel. The responsibility for the implementation of this plan will be the County ADA Coordinator.

Statement of Accessibility.

Whitfield County shall make reasonable modifications in programs and facilities when the modifications are necessary to avoid discrimination on the basis of disability, unless the County can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity. Whitfield County will not place surcharges on individuals with disabilities to cover the cost involved in making programs accessible.

Identify Physical Obstacles.

All county facilities will be reviewed for "baseline" conditions, including:

1. Access to parking and entry into the facilities themselves;
2. Access to a clear and distinct path of travel;
3. Access to programs and services themselves;
4. Access to public areas and restrooms; and,
5. Access to related amenities.

Whitfield County maintains roads and bridges in the unincorporated areas of the county, which are largely rural areas. All intersections and bridges are designed and maintained as governed by the Georgia Department of Transportation's rules and regulations.

The following is a list of County property. An assessment of each of the County's physical facilities will be conducted in conjunction with the execution of this Plan. Deficiencies in the County's physical features of facilities that diminish the ability of disabled persons to benefit from the County's services and facilities will be identified. A correction plan or other course of action will be noted for each deficiency, along with a schedule for completion of the correction in the Action Log which also follows.

FACILITY	YEAR BUILT	SQUARE FOOTAGE	ADDRESS
County Courthouse	1961R*	160,000	205 North Selvidge Street
Administrative Building #1	1940	15,848	301 West Crawford Street
Animal Shelter/Dog Pound	1996	3,526	172 Gillespie Drive
Public Works/Road Dept.	1980	20,810	170 Gillespie Drive
Recreation Dept./Shop /Gym	1990	15,444	176 Gillespie Drive
Fire Station #1	1977	6,426	2900 Cleveland Road
Fire Station #2	1977	3,228	4215 Cleveland Road
Fire Station #3	1977	3,228	1324 Dawnville Road
Fire Station #4	1977	3,228	107 Forrest Hill Road
Fire Station #5	1977	3,228	4229 South Dixie Highway
Fire Station #6	1977	3,228	1370 Lafayette Road
Fire Station #8	2002	5,244	225 Command Drive
Fire Station #7	2002	5,244	S R 201
Fire Station #9	1970	2,376	1620 Millcreek Road
License Office	1980	2,826	104 S Thornton Avenue
Health Department	1996	47,436	808 Professional Blvd
Administrative Building #2	1950	11,009	214 West King Street
Clisbey Austin House	1860	1,900	Tunnel Hill
Office Building	1920	2,240	288 Clisbey Austin
Jail-Correctional Facility	2003	147,677	805 Professional Blvd
Fire Station #10	2004	5,244	1250 Cohutta Beaverdale Rd
Dawnville Community Park	1992	1,152	1223 Dawnville Road
Pleasant Grove Park-Conce	1986	1,200	1800 Pleasant Grove Drive
Edwards Park-Two Concess	2000	1,152 ea	3508 Cleveland Hwy
Praters Mill Building	1855	4,882	5845 GA Hwy 2
Grain Building	1950	2,070	5845 GA Hwy 2
County Store	1898	1,800	5845 GA Hwy 2
Barn	1985	3,597	5845 GA Hwy 2
Parking Deck	2003	125,832	200 West King Street
Edwards Park Shop	1999	5,000	3508 Cleveland Hwy

R* - The Courthouse was completed renovated in 2006 and meets ADA requirements as of the time of renovation.

Also, listed below are the county-owned voting precincts in Whitfield County:

1. Tilton Polling Booth – 1154 Tilton Road
2. Piney Grove Voting Precinct – 4019 Airport Road
3. Upper Tenth Polling Booth – 3855 Keith Valley Road

All voting precincts have been renovated to meet basic ADA requirements.



Notice Under the Americans with Disabilities Act ADA POLICY STATEMENT

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the Whitfield County Board of Commissioners, as governing authority for Whitfield County, Georgia will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: Whitfield County does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U. S. Equal Employment Opportunity Commission under Title I of the ADA.

Effective Communications: Whitfield County will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in Whitfield County's programs, services, and activities, including qualified sign language interpreters, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: Whitfield County will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcome in Whitfield County offices where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or modification of policies or procedures to participate in a program, service, or activity of Whitfield County, should contact Blanca Cardona, who serves as the Whitfield County ADA Coordinator, as soon as possible, but no later than 48 hours before the scheduled event.

The ADA does not require that Whitfield County take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Complaints that a program, service or activity of Whitfield County is not accessible to persons with disabilities should be directed to the ADA Coordinator.

Whitfield County will not place a surcharge on a particular individual with a disability or any group of individuals to cover the cost of providing auxiliary aids/services or reasonable modifications of policy.

GRIEVANCE PROCEDURE UNDER THE AMERICANS WITH DISABILITIES ACT

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of service, activities, programs, or benefits by the Whitfield County Board of Commissioners. The Whitfield County Rules and Regulations and Personnel Policies govern employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities, upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible, but no later than 60 calendar days after the alleged violation to:

Blanca Cardona, County Clerk
ADA Coordinator
Post Office Box 248
Dalton, Georgia 30722

Within 15 calendar days after receipt of the complaint, the ADA Coordinator of Whitfield County or his/her designee will meet with the complainant to discuss the complaint and the possible resolution(s). Within 15 calendar days of the meeting, the ADA Coordinator or his/her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, or audio tape. The response will explain the position of the Whitfield County Board of Commissioners and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the County Administrator or his/her designee.

Within 15 calendar days after receipt of the appeal, the County Administrator or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the County Administrator or his/her designee will respond in writing, and where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the ADA Coordinator or his/her designee, appeals to the County Administrator or his/her designee, and responses from these two offices will be retained by Whitfield County for at least three (3) years. The written complaint and responses will be retained in the County Clerk's Office.

ADA PLAN OF ACTION

Through this transition plan, the following will be addressed:

- a. identify physical obstacles in facilities that limit the accessibility of Whitfield County's programs, services, or activities to people with disabilities;
- b. describe in detail the methods Whitfield County will use to make the facilities accessible;
- c. provide a schedule for making the access modifications;
- d. provide a yearly schedule for making the modifications if the transition plan is more than one year long; and,
- e. indicate the name of the official who is responsible for implementing the transition plan.

County-owned facilities:

1. County Courthouse: none
2. Administrative Building #1: needs electric door opener
3. Library: none
4. Animal Shelter/Dog Pound: none
5. Public Works/Road Department: none
6. Recreation Department/Shop & Gym: none
7. Fire Station #1: none
8. Fire Station #2: none
9. Fire Station #3: none
10. Fire Station #4: none
11. Fire Station #5: none
12. Fire Station #6: none
13. Fire Station #8: none
14. Fire Station #7: none
15. Fire Station #9: none
16. License office: none
17. Health Department: none
18. Administrative Building #2: needs electric Door opener and Signage
19. Clisbey Austin House: none
20. Office Building: none
21. Jail/Correctional Facility: none
22. Fire Station #10: none
23. Dawnville Community Park: none
24. Pleasant Grove Park-Conce: none
25. Edwards Park-Two Consessi: none
26. Praters Mill Building: none
27. Grain Building: none
28. County Store: none
29. Barn: none
30. Parking Deck: needs signage
31. Edwards Park Shop: none

County-owned Voting Precincts:

1. Tilton Polling Booth: none
2. Piney Grove Voting Precinct: none
3. Upper Tenth Polling Booth: none

Title II of the ADA at 28 CFR Section 35.150(d)(2) provides that, if a public entity has responsibility or authority over streets, roads, or walkways, its transition plan shall include a schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs, giving priority to walkways serving entities covered by the ADA, including State and local government offices and facilities, transportation, places of public accommodation, and employers, followed by walkways serving other areas.

Action Steps for Transition Plan

The action plan shall be executed as follows:

1. Identify staff and/or consultants to review each facility for compliance. The ADA/504 Coordinator should be the lead staff member in the development and implementation of the transition plan so that efforts to achieve and maintain accessibility can be effectively coordinated so that there is balance in the transition plan between programs and services, buildings and facilities, as well as pedestrian right-of-way facilities. An advisory group will assist the ADA coordinator in the development and implementation of the transition plan. Whitfield County may retain a consultant to assist with the transition plan, if deemed necessary.
2. Establish the public involvement process by which the disability community and others will participate. The advisory group/task force should also include private citizens or representatives of other agencies with various forms of disabilities, or who will be impacted by the transition plan to make sure all needs are considered.
3. Identify all facilities used by each of Whitfield County's programs and services. With respect to pedestrian right-of-way facilities in particular, include an inventory and/or map of roads/streets, sidewalks, intersections that would need to be made accessible.
4. Map out the usage and specialized features of each county facility. This includes walkways and approaches to each facility from parking lots, bus stops and other transportation, doors and entrances, restrooms, vertical access (elevators and stairways), drinking fountains, play and picnic areas in parks, etc.
5. Choose a survey "tool" or list of standards. This must include evaluating for access by wheelchair users and other mobility-impaired people who would require the use of curb ramps. The recipient can also evaluate for access for visually, hearing and cognitively impaired people, if the transition plan also incorporates sidewalks, accessible pedestrian signals or other pedestrian facilities besides curb ramps.
6. Incorporate the Whitfield County's capital improvement plans since new construction and planned alternations to pedestrian facilities may result in the incorporation of accessible features more easily and less expensively.
7. Identify funding and time frames.

Elements of the Transition Plan

Name, title, office address, phone number, and email address of Whitfield County official responsible for the coordination, development, and implementation of the Transition Plan:

Blanca Cardona, County Clerk, ADA Coordinator, Post Office Box 248, Dalton, GA 30722. bcardona@whitfieldcountyga.com

Advisory committee members' names, titles, and addresses:

Mark Gibson, Administrator, P. O. Box 248, Dalton, GA 30722

Gary Brown, Buildings & Grounds Supervisor – P. O. Box 248, Dalton, GA 30722

Blanca Cardona, County Clerk – P. O. Box 248, Dalton, GA 30722

Jackie Carlo, Human Resources Director – P. O. Box 248, Dalton, GA 30722

Schedule or work plan for steps to be taken to develop and implement Whitfield County's Transition Plan:

In as much as all areas are relatively minor, the implementation should be completed within 6 months.